

First successful prosecution of beauty parlour agent engaging in misleading omission commercial practice by hiding commercial intent

A male agent of a beauty parlour was sentenced to 160 hours of Community Service Order today (December 24) at Eastern Magistrates' Court for engaging in relation to a consumer in a commercial practice that is a misleading omission, in contravention of the Trade Descriptions Ordinance (TDO). He was also ordered to pay six victims \$238,698 in total in compensation. This is the first successful prosecution of a trader failed to identify commercial intent in selling beauty services.

Hong Kong Customs earlier received information alleging that a male agent of a beauty parlour was suspected of engaging in unfair trade practices in the sale of beauty services.

Investigation revealed that the agent of the beauty parlour approached consumers through the Internet and brought them to the branches of the beauty parlour in Mong Kok and Causeway Bay for beauty services. In the process, the agent hid his commercial intent, misled and lured six consumers into procuring beauty services at high cost.

Customs reminds traders to comply with the requirements of the TDO and consumers to procure services at reputable shops.

Under the TDO, any trader who engages in a commercial practice that omits or hides material information or provides material information in a manner that is unclear, unintelligible, ambiguous or untimely, or fails to identify its commercial intent and as a result causes, or is likely to cause, an average consumer to make a transactional decision commits an offence. The maximum penalty upon conviction is a fine of \$500,000 and imprisonment for five years.

Members of the public may report any suspected violations of the TDO to Customs 24-hour hotline 2545 6182 or its dedicated crime-reporting email account (crimereport@customs.gov.hk).